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IAB CASE NO. **FO2273085**

PERSONNEL INVESTIGATION FORM AND INVESTIGATIVE SUMMARY

WITNESS INTERVIEWS

Deputy Brett Binder
Deputy Laura Avelar
[redacted]

SUSPECT INTERVIEW

Adrain McKoy

EXHIBITS

A - Huntington Memorial Hospital medical assessment of Suspect McKoy
B - Complaint report authored by Detective Binder
C - Supplemental report authored by Deputy Avelar
D - Two DVD's containing video interviews Suspect McKoy, Witness [redacted] and Witness [redacted]
E - Altadena weather report
F - Photographs of Suspect McKoy's injuries and of the scene

MISCELLANEOUS DOCUMENTS

- In-service for Altadena Station dated September 2 , 2010
- In-service for Crescenta Valley Station dated September 2, 2010
- CCHRS report of Suspect McKoy's criminal history
- Admonition forms for witnesses
- Inmate information for Suspect McKoy
- Scientific Services Bureau laboratory report and evidence photograph

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 910-03134-0799-181 | Date: 9/2/10 | Time: 1344 Hours

Location: Marengo Avenue / Montana Street | City or Station: Pasadena

Bureau/Station/Facility: Altadena Station | Admin. Investigation: YES ☐ NO ☒

Type of Force: Significant Force / Control Holds / Freeze +P Spray / Team Takedown / Suspect Skeletal Fracture / Deputy Injury

Deputy Injury: YES ☒ NO ☐ | Suspect Injury YES ☒ NO ☐

☐ Call | ☒ Observation | ☐ Detail | ☐ Foot Pursuit | ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ | Person Notified: Lt. Alicia Ault | Emp: [redacted] | IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee #	Last Name	First Name	Middle Name
[redacted]	Binder	Brett	M.

Sex: ☒ Male ☐ Female | Race: W | Unit of Assignment: FOR I / Altadena Station | Work Assignment (Unit #, Module, etc.): 72

Shift: ☐ EM ☒ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 600 | Weight: 225

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ | Significant Force ☒

E 2

Employee #	Last Name	First Name	Middle Name
[redacted]	Avelar	Laura	

Sex: ☐ Male ☒ Female | Race: H | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): 72

Shift: ☐ EM ☒ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☒ Off Duty | Age: [redacted] | Height: 502 | Weight: 135

☒ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ | Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: | Directed Force ☐ | Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Robinson	Danny	L.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Forney	Randall	A.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Hahnlein	Robert	G.

Sgt. Robert Hahnlein
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sgt. Chad Smeltzer | [redacted]
Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Capt. Steve McLean
Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910-03134-0799-181

Suspect Information

S 1

Last Name: McKoy | First Name: Adrain | Middle Name: Lamont

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 29 | Height: 605 | D.O.B. 09/22/1980 | Weight: 230 | Armed? [ ]

Booking #: 2463348 | Primary Charge Code: 69 PC | Secondary Charge Code: 11350(a) H&S | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ____ Unit: ____ Phone #: ____

Hospital Admission? [X] Rec'd Treatment At: Huntington Memorial Hospital | Coroner Case #: ____ | Mental History [ ]

By Doctor: Dr. Luna | Address: 100 W. California Bl., Pasadena 91105 | Phone #: 626-397-5054

Under Influence: [ ] YES [X] NO Substance: ____ | Mental Illness [ ]

Suspect Interview

Date: 09/02/10 | Time: 1959 Hrs. | [X] Audiotape: [ ] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ____ Unit: ____ Phone #: ____

Hospital Admission? [ ] Rec'd Treatment At: ____ Coroner Case #: ____ Mental History [ ]

By Doctor: ____ Address: ____ Phone #: ____

Under Influence: [ ] YES [ ] NO Substance: ____ | Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ____ Unit ____ Phone #: ____

Hospital Admission? [ ] Rec'd Treatment At: ____ Coroner Case #: ____ Mental History [ ]

By Doctor: ____ Address: ____ Phone #: ____

Under Influence: [ ] YES [ ] NO Substance: ____ | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 0 3 1 3 4 - 0 7 9 9 - 1 8 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	58	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	17	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
McKoy	S#1	Binder	E#1	UC		
Binder	E#1	McKoy	S#1	OC		
McKoy	S#1	Binder	E#1	RS		
Binder	E#1	McKoy	S#1	CT		
McKoy	S#1	Binder	E#1	RS		
Avelar	E#2	McKoy	S#1	CT		
McKoy	S#1	Avelar	E#2	RS		
McKoy	S#1	Binder	E#1	RS	BU	AR/AR
Binder	E#1	McKoy	S#1	CT	BU	AR/AR
Avelar	E#2	McKoy	S#1	CT	BU	AR/AR
Binder	E#1	McKoy	S#1	TT		
Avelar	E#2	McKoy	S#1	TT		
McKoy	S#1	Avelar	E#2	RS	HD	AB
Binder	E#1	McKoy	S#1	CT	HE	FR
McKoy	S#1	Binder	E#1	RS	AB	KN
Binder	E#1	McKoy	S#1	RH		

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE

- CHEMICAL AGENT
- CONTROL TECHNIQUES
- TEAM TAKEDOWN
- SKELETAL FRACTURE TO SUSPECT
- DEPUTY INJURY

UNIT: ALTADENA STATION

DATE / TIME OF INCIDENT: SEPTEMBER 2, 2010 (THURSDAY) / 1340 HOURS

LOCATION: MARENGO AVENUE / MONTANA STREET, PASADENA

URN: 910-03134-0799-181

IAB #: FO2273085

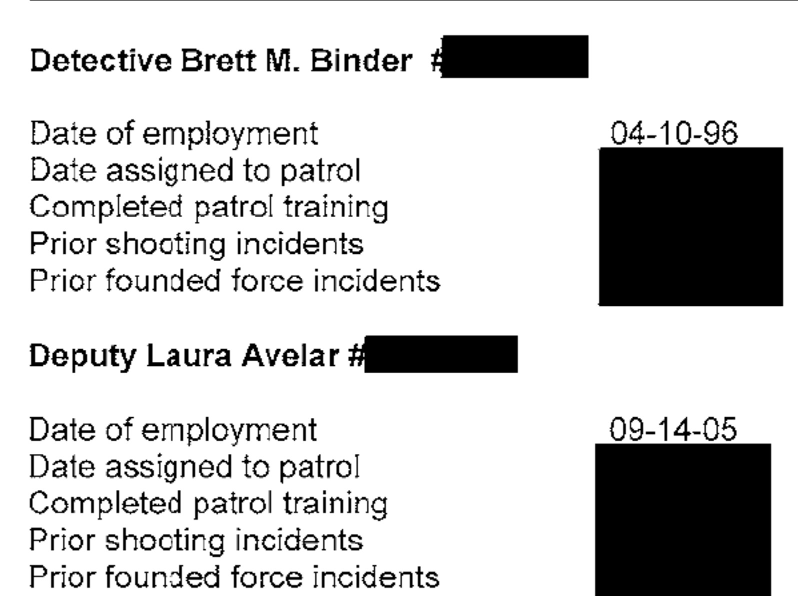
SYNOPSIS

On September 2, 2010, at 1340 hours Detective Brett Binder was assigned to uniformed patrol with [redacted] Deputy Laura Avelar working unit #72. The deputies attention was drawn to a maroon Ford Crown Victoria traveling in front of their patrol car with improper vehicle registration tabs (February 2010), violation 5204(a) CVC. Detective Binder and Deputy Avelar conducted a traffic stop to contact the sole occupant, male black driver, regarding the violation.

As Detective Binder spoke with Suspect McKoy, he smelled the odor of marijuana emitting from the vehicle's interior. Detective Binder ordered shirtless Suspect McKoy out of the vehicle to locate the source of the odor. Suspect McKoy refused to exit his exit vehicle. Detective Binder eventually deployed his Freeze +P spray at Suspect McKoy. A struggle ensued between Suspect McKoy and the deputy personnel to overcome Suspect McKoy's uncooperative and resistive behavior resulting in a team takedown. As a result of the team takedown technique, Suspect McKoy received a fractured jaw, abrasions to his knees, a laceration to his chin and burns to his chest and upper arms.

Deputy Avelar received a laceration to the palm of her right hand. Suspect McKoy was transported to Huntington Memorial Hospital for medical treatment. The burns Suspect McKoy sustained during the incident were caused by his bare skin contacting the heated hood of the patrol car and contact with the asphalt road surface. The high temperature on the incident date was approximately one hundred degrees per www.Bing.com **[EXHIBIT E]**.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY



Detective Brett M. Binder #[redacted]

Date of employment	04-10-96
Date assigned to patrol	[redacted]
Completed patrol training	
Prior shooting incidents	
Prior founded force incidents	

Deputy Laura Avelar #[redacted]

Date of employment	09-14-05
Date assigned to patrol	[redacted]
Completed patrol training	
Prior shooting incidents	
Prior founded force incidents	

SUSPECT INFORMATION

Adrain Lamont McKoy
Male, Black, DOB: 09-22-1980, Booking #2463348, 6' 05", 230 lbs
[redacted]
CII #[redacted] MAIN #[redacted] FBI #[redacted]

Suspect McKoy was arrested for Possession of a Controlled Substance, 11350(a) H&S and Resisting a Peace Officer by Means of Force, 69 PC, related to this incident. His criminal history [redacted]

WITNESSES

[redacted]

INJURIES

Suspect McKoy received treatment at Huntington Memorial Hospital. IAB investigators were advised by Dr. Wairiri that Suspect McKoy's burns were superficial, he had a laceration to his chin and his jaw was fractured on the right side. Refer to Suspect McKoy's medical assessment from Huntington Memorial Hospital for more detailed information **[EXHIBIT A]**.

Deputy Avelar sustained an abrasion to the palm of her right hand and was treated at the scene by paramedics.

PHYSICAL EVIDENCE

Digital photographs depicting the incident scene and injuries to Suspect McKoy **[EXHIBIT F]**.

INVESTIGATOR'S OBSERVATIONS

IAB personnel responded to the incident and photographed the scene and injuries Suspect McKoy sustained **[EXHIBIT F]**.

WEAPONS USED BY DEPUTY PERSONNEL

Chemical agent (Freeze +P).

WEAPONS USED BY SUSPECT

Resistance.

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATOR AND CHARGES FILED

Investigator: Detective Richard Pippin, Altadena Station Detective
Charges Filed: Felony, Resisting/Obstructing a Peace Officer, 69 PC on November 8, 2010.

INVOLVED AND WITNESS DEPUTY STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Detective Brett M. Binder

On October 25, 2010, Detective Brett Binder stated in his IAB Witness interview, he was on routine uniformed patrol with [redacted] Deputy Laura Avelar. His attention was drawn to a maroon Crown Victoria displaying expired registration tabs. Detective Binder effected a traffic stop and contacted the sole occupant shirtless driver. Upon contacting the driver, Suspect McKoy, Detective Binder smelled the odor of marijuana coming from the vehicle. Detective Binder asked Suspect McKoy three or four times to exit the vehicle. Suspect McKoy refused Detective Binder's request and told him to get more deputies. Detective Binder told Suspect McKoy that if he did not exit the vehicle, he would be "sprayed', indicating the use of a chemical agent. Suspect McKoy refused to exit the vehicle.

Detective Binder sprayed Suspect McKoy with his Freeze +P spray, as Suspect McKoy turned his head to the right and reached to the floorboard near the center console area. Detective Binder feared Suspect McKoy was retrieving a weapon and opened the driver door and pulled Suspect McKoy from the vehicle by the left arm. Suspect McKoy attempted to pull his arm from Detective Binder's grasp. Deputy Avelar ran from the passenger side of McKoy's vehicle to assist Detective Binder by grabbing Suspect McKoy's right arm. Suspect McKoy attempted to break free of the deputy personnel's grasp by moving toward the patrol car pulling the deputy personnel with him. As the three struggled, Detective Binder held Suspect McKoy's left arm in an elevated armlock position in order to handcuff him, causing Suspect McKoy to bend forward onto the hood of the patrol car. Detective Binder estimated the time Suspect McKoy was exposed to the hood of the patrol car was ten to fifteen seconds.

Detective Binder attempted to retrieve his handcuffs, but dropped them as he struggled to control Suspect Mckoy. Detective Binder told Deputy Avelar to take Suspect McKoy to the ground as he used Suspect McKoy's arm as leverage to force him to the ground.

As Suspect McKoy fell chest first, Detective Binder landed with his right knee in Suspect McKoy's upper back and his left knee landed on Suspect McKoy's neck. Suspect McKoy's right hand was underneath him and Detective Binder gripped Suspect McKoy's left hand. Detective Binder could feel Suspect McKoy attempting to push himself up as he ordered Suspect McKoy give up.

Due to Suspect McKoy's resistence, Detective Binder was unable to request assistance via his portable radio until he was on top of Suspect McKoy's back. Detective Binder estimated Suspect McKoy was on the pavement for approximately twenty-five to thirty seconds. Detective Binder with the assistance of Deputy Avelar was able to handcuff Suspect McKoy. Once handcuffed, Detective Binder requested paramedics and stood Suspect McKoy near the trunk of the patrol car so Suspect McKoy could be searched. Detective Binder estimated the temperature at the time of the incident to be one hundred degrees. Detective Binder prepared a complaint report regarding this incident **[EXHIBIT B]**.

Deputy Laura Avelar

On October 25, 2010, Deputy Avelar stated in her IAB Witness interview, she was on an [redacted] at Altadena Station with Detective Binder. Deputy Avelar wore civilian clothes with a ballistic vest, possessed her firearm, but she did not possess a portable radio. Once Detective Binder conducted the traffic stop, Deputy Avelar approached Suspect McKoy's vehicle on the passenger side. Deputy Avelar saw Suspect McKoy present Detective Binder with registration paperwork and Detective Binder asked Suspect McKoy to exit the vehicle several times. Deputy Avelar saw Suspect McKoy appeared agitated and she heard him raise his voice stating he was not going to exit the car. Deputy Avelar heard Detective Binder warn Suspect McKoy that if he did not exit the car, Detective Binder would spray him with pepper spray. When she heard Detective Binder tell Suspect McKoy he would be pepper sprayed, Deputy Avelar ran to the driver's side of Suspect McKoy's vehicle to assist Detective Binder.

As Deputy Avelar arrived to Suspect McKoy's driver door to aid Detective Binder, she did not see Detective Binder deploy pepper spray, but she heard Suspect McKoy say "it burns". Detective Binder opened Suspect McKoy's door and pulled Suspect McKoy by the left arm and Deputy Avelar grabbed the suspect's right hand. Suspect McKoy resisted her actions by moving his elbow in a jabbing motion in an attempt to break free from her grasp. Suspect McKoy's actions caused Deputy Avelar to fear Suspect McKoy was attempting to retrieve a weapon from his waistband.

Deputy Avelar said as she and Detective Binder struggled to control and handcuff Suspect McKoy, the three moved toward the patrol car hood. As Deputy Avelar continued attempting to control Suspect McKoy's right arm, he leaned forward over the patrol car hood and moved his shoulders back and forth attempting to break free of Deputy Avelar's grasp.

Deputy Avelar believed Suspect McKoy received the burns to his upper arms as he struggled with the deputies on the hood of the patrol car. Deputy Avelar said Suspect McKoy was strong and Detective Binder told Deputy Avelar to take Suspect McKoy to the ground since they could not control or handcuff him. Throughout the incident Deputy Avelar ordered Suspect McKoy to stop fighting and to place his hands behind his back, but Suspect McKoy refused.

Once Detective Binder told Deputy Avelar to take Suspect McKoy to the ground, the two worked together by controlling Suspect McKoy's arms and using the weight of their bodies to force Suspect McKoy to the ground. Suspect McKoy fell face down. Deputy Avelar fell to the ground while maintaining control of Suspect McKoy's right arm. Once Suspect McKoy was on the ground he yelled for people in the neighborhood to help him. Deputy Avelar did not recall Suspect McKoy yelling that his skin was burning on the hood of the patrol or on the ground.

While on the ground Suspect McKoy's right hand was underneath his body and Deputy Avelar believed he was continuing his attempt to retrieve a weapon from his waistband area. Working together against Suspect McKoy's resistance, Detective Binder and Deputy Avelar were able to handcuff Suspect McKoy. Deputy Avelar estimated that Suspect McKoy was face down on the pavement for "seconds", and that she could not see how Detective Binder's knees were positioned on Suspect McKoy. Deputy Avelar said that Suspect McKoy never went unconscious and was resisting at every point of the struggle. Deputy Avelar was unaware at what point during the struggle Suspect McKoy's jaw was fractured. Deputy Avelar sustained a laceration to her right palm during the struggle and described the temperature at the time of the incident as warm. Deputy Avelar prepared a supplemental report regarding this incident **[EXHIBIT C]**.

CIVILIAN WITNESSES

The following statement was based on an audio taped interview conducted by IAB Sergeant Victor Allen #[redacted] after the incident occurred.

[redacted]

[redacted] told IAB investigators he was preparing to go to work when he heard a voice yelling. Mr. [redacted] walked to his front porch and saw Suspect McKoy laying face down on the street with Detective Binder positioned on Suspect McKoy's shoulders and neck. Deputy Avelar was holding Suspect McKoy's feet. Suspect McKoy was yelling for help. Mr. [redacted] could see that Suspect McKoy was shirtless and heard him yelling that he was burning. Mr. [redacted] estimated that Suspect McKoy was laying on the street for five to ten minutes. Mr. [redacted] said Suspect McKoy was not resisting as he was handcuffed. Mr. [redacted] did not witness any of the events leading up to Suspect McKoy laying on the street.

*The following statements were based on video taped interviews conducted by Altadena Sergeant Danny Robinson #[redacted] immediately after the incident occurred. Witness [redacted] and [redacted] interviews **[EXHIBIT D]** follow an initial interview of Suspect McKoy and was captured on two separate video files.*

[redacted]

[redacted] said he was standing approximately [redacted] houses north of where the incident took place. He saw the traffic stop and heard screaming from Suspect McKoy. Mr. [redacted] ran to the area of the traffic stop and saw Suspect McKoy on the ground wrestling with the deputies. Mr. [redacted] saw Suspect McKoy was shirtless and heard him yelling that the ground was hot. Mr. [redacted] could see that Suspect McKoy attempted to get up, and Detective Binder kneed him in the face to keep him from rising off the ground. At the time Mr. [redacted] began observing the incident Suspect McKoy was on the ground. Mr. [redacted] said he did not see the deputies hit Suspect McKoy during the incident. Mr. [redacted] gave limited identifying information and could not be located for further interview **[EXHIBIT D]**.

[redacted]

[redacted] said she heard Suspect McKoy yelling that he was burning and that she saw Detective Binder had a knee on Suspect McKoy's face. Ms. [redacted] refused to provide any further identification or any further statements **[EXHIBIT D]**.

SUSPECT McKOY'S STATEMENT

Suspect McKoy was interviewed by IAB investigators at Huntington Memorial Hospital approximately six hours after the incident. Suspect McKoy said he was driving a car that he had purchased approximately two hours prior to the incident. During a traffic stop, Detective Binder contacted him at the driver door. Suspect McKoy provided Detective Binder with his identification and the vehicle registration papers. Suspect McKoy said Detective Binder told him to "Get out of the car". Suspect McKoy said he asked Detective Binder why he needed to exit the car?

Suspect McKoy admitted to failing to exit the car as he was instructed to. Suspect McKoy said Detective Binder opened the driver door, unlatched his seatbelt and warned Suspect McKoy he would be pepper sprayed if he did not exit his vehicle. Suspect McKoy said he began to exit the vehicle, but was pulled from the car by Detective Binder. Once out of the car, Suspect McKoy said he was placed on the ground. The deputy personnel then picked Suspect McKoy off of the ground, handcuffed him and shoved him toward the patrol car and pushed onto the hood of the patrol car.

> **IAB Note: In Suspect McKoy's initial statement captured on video by Field Sergeant Danny Robinson #[redacted] Suspect McKoy did not state he was handcuffed in the initial stages of the struggle, as stated to IAB investigators [EXHIBIT D].**

Suspect McKoy said he was then pushed face first into the hood of the patrol car by the deputy personnel and held down by Detective Binder's arm. While on the hood of the patrol car, Suspect McKoy said his skin burnt from the heat of the hood.

Suspect McKoy said he pleaded to be removed from the hood of the patrol car and was not resisting. Suspect McKoy said he kneeled on the ground, but then was pushed from behind causing him to strike his chin on the curb. While on the ground, Suspect McKoy said he was then kneed in the face by Detective Binder causing him to pass out for three or four seconds. While Suspect McKoy was on the pavement, his skin continued to burn and Deputy Avelar sat on his feet.

Suspect McKoy said only the arresting deputies used force on him and that six or eight deputies arrived after the incident concluded.